

MCI WORLD COM

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April 11, 2000

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals, 445 Twelfth Street, SW
Washington, DC 20554

RE: Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996, CC Docket No. 94-129; Policies and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers; MCI WORLD COM, Inc. Request for Waiver and Expedited Treatment.

Dear Ms. Salas:

Enclosed for filing is an original and four (4) copies of MCI WorldCom, Inc.'s Petition for Expedited Waiver of the Commission's Rules in the above captioned proceeding.

In addition, please stamp the enclosed file copy and return to bearer.

Respectfully submitted,



Elizabeth Yockus
(202) 887-3087

Enclosures

No. of Copies rec'd 015
List ABCDE

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the Matter of)	
)	
Implementation of the Subscriber Carrier)	
Selection Changes Provision of the)	
Telecommunications Act of 1996)	
)	CC Docket No. 94-129
Policies and Rules Concerning)	
Unauthorized Changes of Consumers)	
Long Distance Carriers)	
)	
MCI WORLDCOM, Inc. Request for Waiver)	

**PETITION FOR EXPEDITED WAIVER
OF COMMISSION'S RULES**

Pursuant to §64.1150 of the Commission's rules, prior to submitting a preferred carrier change, carriers must either: (1) obtain the subscriber's written authorization; (2) obtain confirmation from the subscriber via a toll-free number provided exclusively for the purpose of confirming orders electronically; or (3) utilize an independent third party to verify the subscriber's order.¹ MCI WORLDCOM, Inc. (MCI WorldCom) hereby petitions on behalf of TTI National, Inc. (TTI), a wholly-owned subsidiary of MCI WorldCom, for waiver of the Commission's verification rules to allow it to transfer the subscribers of National Tele-Communications, Parcel Consultants, Inc., Minimum Rate Pricing, Inc. and Discount Call Rating, Inc. (collectively, Minimum Rate Pricing or MRP) to TTI National's customer base without first obtaining each subscriber's authorization and verification.

On February 26, 1999, Minimum Rate Pricing, Inc., Parcel Consultants, Inc. and National Tele-Communications, Inc. each filed voluntary chapter 11 bankruptcy petitions in the United States Bankruptcy

¹ See C.F.R. §64.1150.

Court for the District of New Jersey. On November 3, 1999, Discount Call Rating, Inc. also filed its voluntary chapter 11 petition in the same court. As a result of, *inter alia*, the continued loss in value of MRP's assets, primarily as a result of attrition of MRP's customer base, MRP decided to sell substantially all of its assets pursuant to section 363 of the Bankruptcy Code, 11 U.S.C. §363, at a public auction.

On December 9, 1999, an auction was held at which TTI National and one other party made bids on MRP's assets, including, but not limited to all U.S. based long distance customer accounts which have selected MRP as their provider for outbound (switched), inbound (switched), and calling card services (excluding dial around customers). Because TTI National's bid was found to be the highest and best offer for MRP's assets,² the Bankruptcy Court authorized the sale of substantially all of MRP's assets to TTI National.³

The Sale Order authorizes a management agreement whereby TTI National, through its designated operator, Asset Recovery Services, Inc., agrees to manage the MRP customer base on MRP's behalf, pending regulatory approval from the Commission and state regulatory agencies. Once all required regulatory approvals are obtained, TTI National will close on the sale and the MRP customer base (along with the other assets) will be transferred to TTI National.

The factual circumstances presented by the action in bankruptcy demonstrate that MRP is liquidating all its assets in order to satisfy creditors. No regulatory approvals are required from this Commission in order to transfer the assets to TTI. However, §64.1150 of the Commission's rules requires prior customer consent before a new long distance provider may serve the customer. MCI

² MCI WorldCom has merely purchased the assets of MRP and has no plans to purchase the entire company.

³ United States Bankruptcy Court, Order Pursuant to Sections 105, 363, 365 and 1146 of the Bankruptcy Code (i) Authorizing and Approving the Emergency Sale of Certain Assets of the Debtors Free and Clear of Liens, Claims, and Encumbrances, (ii) Authorizing and Approving the Terms of the Asset Purchase Agreement, (iii) Scheduling Further Hearings to Consider the Assumption and Assignment or Rejection of Certain Executory Contracts and Unexpired Leases and (iv) Authorizing the

WorldCom seeks a waiver of this requirement in order to provide seamless service to the MRP customer base. Waiver of the Commission's rules is appropriate if special circumstances warrant a deviation from the general rule, and such deviation will serve the public interest.⁴ Therefore, in light of the MRP bankruptcy and in order to provide MRP customers with seamless service, MCI WorldCom seeks a waiver of §64.1150 requirements in order to allow the MRP customers to be served by TTI without prior customer approval.

Furthermore, MCI WorldCom, on behalf of TTI, makes the following commitments to administer the transfer of the customer base, ensure that customers are notified of the changes and have an opportunity to change to a long distance provider of their choice. Subsequent to all requisite state and federal regulatory approvals, MRP, in cooperation with TTI National, will send letters to all MRP customers notifying them that MRP will no longer be serving as a domestic presubscribed long distance carrier, and beginning approximately 30 days after receipt of MRP's letter, all "1+" calls from telephone lines previously served by MRP and calling card calls will be completed by TTI National. The MRP customers will be informed that they will receive the same or better rates and services than those which they were receiving from MRP, without interruption and without need for action. The MRP customers will also be reminded that they are under no obligation to take service from TTI National, and that each customer is free to select another company to transmit their long distance calls.

Additionally, after the conversion to the services of TTI National, TTI National will send a "welcome letter" to the affected customers with information concerning TTI National's services and rates. The welcome letter will inform the customer that the customer should not be charged any fee by the local phone company as a result of the change to TTI National, and if any such fee is imposed, TTI National will

Exemption of the Sale From Stamp or Similar Taxes, January 5, 2000 (the "Sale Order").

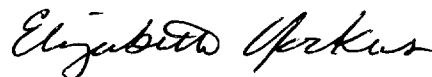
⁴ Northeast Cellular Telephone Co. V. FCC, 897 F.2d 1164, 1166 (D.C. Cir. 1990); WAIT Radio v. FCC, 418 F.2d 1153, 159 (D.C. Cir. 1969).

issue a credit for such charge to the customer.⁵ The welcome letter will also provide the former MRP customers with an 800 number to assist them if they have any questions regarding the transfer of their service. Finally, the welcome letter will inform the customers that TTI National will investigate, respond to, and attempt to cure any complaints of former MRP customers.

With these commitments, MCI WorldCom's waiver request is fully consistent with the Commission's prior actions granting waivers in similar circumstances. Waiver of the Commission's verification rules in this instance allows TTI National to provide a seamless transition to former MRP customers, while ensuring that the affected customers clearly understand available choices. The Commission should grant MCI WorldCom's request for expedited waiver of the Commission's verification rules delineated in §64.1150 of the Commission rules.

Respectfully submitted,

MCI WORLDCOM, Inc..



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⁵ MRP's customers are presubscribed to CIC "555," which belongs to MCI WorldCom Network Services, Inc. ("MWNS"). CIC "555" is used to provision originating "1+" services for numerous resellers unaffiliated with MWNS, but is also used to provision service for TTI National. MWNS and TTI National are both wholly-owned subsidiaries of MCI WorldCom, Inc. This coincidence will benefit MRP's customers because it will simplify the process of migrating them to TTI. After regulatory approval is obtained and the MRP customer base is purchased by TTI National, no LEC presubscription changes will be required, as the underlying network service configuration will not change. TTI National, therefore, expects no LEC PIC change charges will apply to the transfer of the MRP customer base.

SAMPLE LETTER

IMPORTANT INFORMATION ABOUT YOUR LONG DISTANCE SERVICE

Date

Dear Customer:

Minimum Rate Pricing, Inc., (MRP) will no longer be serving as your domestic presubscribed long distance carrier. MRP has taken the steps necessary to ensure that you will continue to receive quality long distance service at economical prices, without interruption and without any action needed on your part. On (date) or soon thereafter, when you dial "1+" from your telephone line now served by MRP, your long distance calls will be completed by TTI National, Inc. via the MCI WorldCom network. MRP and TTI National have requested FCC approval, and state approval where required, to make this change. Customers who purchase paging service, toll-free service, or calling card(s) from MRP will receive service from TTI National and experience no change to their service at this time. The charges for these services will continue to appear on your monthly invoice as they do today.

We have made arrangements with TTI National to serve in our place by providing intrastate, interstate and international services to satisfy your telecommunications requirements. TTI National soon will be sending you a "welcome" letter and will provide you with information concerning your service.

We are confident that you will be pleased with TTI National as your economic telecommunications provider. Of course, you are under no obligation to take service from TTI National. If you choose, you may select another company to handle your calls. Should you decide for any reason not to stay with TTI National, we recommend that you choose a replacement carrier before (date).

If you have any questions, please call us at 800-xxx-xxxx. Our business hours are 9:00 a.m. until 7:00 p.m., (EST), Monday through Friday.

We thank you for your continued support and your business. We have enjoyed being your service provider.

Sincerely,

Minimum Rate Pricing, Inc.

BY: _____



Welcome To TTI National!

We're delighted to welcome you to TTI National, your new long distance telephone service provider. As announced in previous correspondence, TTI National has replaced Minimum Rate Pricing, Inc., (MRP) as your long distance service provider, offering a convenient package of quality services at very competitive rates. This change will not require your local phone company to make any changes so you should not see any fees applied by your local carrier. However, if a fee is imposed, TTI National will issue a credit for the charge. To request credit, please have your local phone bill handy (showing the PIC Change Charge) and call TTI National Customer Service at 1 800 xxx-xxxx.

Count On Us For Savings. You'll be amazed at what you can save with TTI National. Making a long distance phone call with TTI National is easy, too. Call anywhere in the United States by dialing 1+ area code + number. No special access numbers are needed; current domestic rates are attached. And, if you happen to call internationally, you'll benefit from our low cost, high-quality international outbound service which is available automatically with your TTI National long distance service. (In addition, country-to-country calling overseas, and calling back to the U.S., are available on request.) From TTI National, you will receive rates and services that are the same or better than those which you were receiving from MRP.

We're At Your Service. To confirm that TTI National is your long distance service provider, please dial 1 700 555 4141 (a toll-free call) from all phone lines that have been switched from MRP to TTI National. You should hear a recording that welcomes you to the MCI WorldCom network, which carries TTI National traffic. If you do not hear this message please call TTI National Customer Service at 1 800 xxx-xxxx.

The professional customer service team at TTI National is equipped to assist you with questions about your new long distance service or monthly billing. Should you require assistance with any previous MRP services or past MRP billing issues, please contact TTI National Customer Service at 1-800-xxx-xxxx.

Once again, we're delighted to welcome you to TTI National, your single source for reliable communications services at outstanding savings. We appreciate your business, and look forward to serving you for many years to come.

Sincerely,

A handwritten signature in cursive script, appearing to read "George Hampton".

George Hampton
Vice President

See reverse side